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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,899	12/20/2001	Robert Alan Reid	01 P 09444 US	2160

7590 06/19/2006

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2195

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/028,899

Applicant(s)

REID, ROBERT ALAN

Examiner

Lewis A. Bullock, Jr.

Art Unit

2195

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

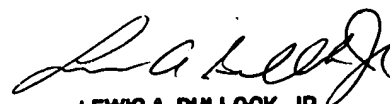
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-20.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

Continuation of 3. NOTE: The amendment to claims 11-20 detail a amendment that would require further consideration to those claims.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant arguments are unpersuasive. Applicant argues that the cited reference does not teach a second data processing task executing a call to the task switching function, the task switching function selecting a return address corresponding to a third data processing task; and the task switching function executing a return operation to the third data processing task. The examiner disagrees. The claim language is taken from dependent claim 10, which should be canceled for failure to further limit the parent claim. The invention of Fleck stores a task context each time context switching occurs at the front of a PCX pointer address. See figure 4 wherein the PCX value indicates CSA3, CSA3 indicates CSA2, and CSA2 indicates CSA1. Each context save area (CSA) has two portions whereby the first portion contains the actual context and the second portion includes a pointer to another CSA (col. 5, lines 52-56). The FCX register always points to an available CSA, where the upper context can be automatically saved in the event of a call or interrupt or the lower context can be saved in the event of a special instruction (col. 6, lines 21-25). The PCX field in the PCXI.PCX register points to the CSA for the previous context, for example, the context that will be restored when a respective return instruction is executed (col. 6, lines 47-54). To restore a context save area, the processor context to be restored is read from the CSA at the front of the previous context list (col. 7, lines 10-37). Therefore, since the PCX contains the 3 CSA's and the CSA's represent the context the caller before the switch, each CSA represents a task, hence three caller tasks. Secondly there is no language within the claim language that the one task is not the same caller from before. Such that the CSA3 and CSA1 are the same task just in different parts of execution thereby making them different tasks. Fleck also teaches that CSA's are stored in relation to not only a first task and a second task but also a interrupt or trap handler which would also constitute a task. Therefore, the interrupt handler could be the first task and the second and third task are the other mentioned tasks or vice versa. All the claim language allows is that each of the task call the task switching function wherein it returns the address corresponding to a different task. Fleck allows for the interrupt handler, first task, and the second task to all call a return instruction wherein the data processing unit returns an address and context of the previous executing task. Therefore, Fleck teaches the invention as disclosed..